

### Remarks/Arguments

Reconsideration of this application, as amended, is respectfully requested.

The specification has been amended to correct an error located in each of paragraphs 1, 2, and 28. Originally it was stated that "husks of leaves" have a tendency to accumulate in the stripper slots 40 when --husks or leaves-- was intended. Also, a spelling error in paragraph 34 has been corrected, namely, "wielded" has been changed to --welded--.

Claims 1-10 are pending in this application.

It is noted that the Examiner considers claims 4 and 5 to contain allowable subject matter.

Claim 10 is under an objection due to a lack of antecedent basis for "the angle". Claim 10 has been amended to depend from claim 9 which contains the required antecedent.

Claims 1-3 and 6-10 are under a rejection based on 35 U.S.C. 103(a) as being unpatentable over Wuebbels et al. '643 in view of Firdaus '396. It is respectfully submitted that claim 1 defines subject matter not made obvious by this combination of references.

Specifically, among other structure, claim 1 requires a mowing and intake drum mounted for rotation about an upright axis with an intake function being carried out by a conveying disk equipped with drivers distributed around the circumference for the transport of the stalks of plants, a stripper element being mounted adjacent the conveying disk such that the drivers of the conveying disk passes through a slot defined by the stripper element, and at least one of the drivers being provided with a remover for removing plant material from the slot and which is **fastened to said at least one of said drivers** so as to be easily disassembled.

Wuebbels et al. '643 does not clearly disclose the idea of providing a crop conveying disk having drivers that rotate through slots defined by a crop stripper. However, such a structure is clearly disclosed in EP 0 760 200, cited by applicant and of which U.S. Patent No. 5,722,225 is an equivalent. In any event, from FIG. 3 of EP 0 760 200 it can be seen that the mowing and intake drum 5 includes drivers 33 that rotate through slots 32 defined by a stripper 31. This structure is admittedly old and is set forth in the Jepson format of claim 1. Not shown is the idea of **adding** a remover to at least one driver.

The Examiner relies on Firdaus for the teaching of the claimed remover. It is respectfully submitted that this reliance is misplaced. First of all, Firdaus is from a non-analogous chipper shredder art. No cutting and conveying of stalk-like crops is performed. No slotted stripper is present. No disk having drivers are rotated through slots. Firdaus discloses a housing 11 which defines a cylindrical chamber into which branches and leaves may be inserted through opposite side openings 12 and 13. A high mass central member 23 has a plurality of flail blades 21 each comprising a central cylindrical member 26 having three outward extensions joined to it. These blades appear to be pivotally mounted by a pin received through the member 26 and some how mounted to an inner flail member 24. As can be seen in FIG. 3, three extensions of each blade 21 respectively sweep through spaces defined between fixed bars 31 forming part of a screen 30, which extends across an outlet 18 of the housing 11. As can be seen in FIG. 4, the middle extension of each of the blades 21 sweeps through a space defined between offset teeth 35 of a tooth assembly 34 which projects inwardly from an outer circumference of the cylindrical chamber of the housing 11. Thus, it is clear that fixed bars 31 and teeth 35 in no way act as strippers to strip crop from the blades 21 but rather cooperate with the blades to break, chip and pulverize material fed into the housing through the feed openings 12 and 13 so as to reduce the size of the material sufficiently that it will pass through the screen 30 and out the discharge opening 18.

Applicant cannot agree with the Examiner's contention that the path between the teeth 35 of Firdaus is a **stripper slot** since the teeth 35 are not strippers, but rather cooperate with the blades to further reduce material moving about the outer periphery of the housing 11. Further, applicant cannot agree that side chippers 22 are appropriate for removing material from the alleged stripper slot 35 since the side chippers 22 do not pass through any stripper slot of any sort and are radially inward of the slot defined between the teeth 35.

For the reasons stated above, it is not thought that one skilled in the art would have looked to the Firdaus disclosure for teachings of how to modify the crop conveying disk of Wuebbels et al., as proposed by the Examiner, since Firdaus is from a non-analogous art dealing with subject matter having no relationship to cleaning slots of strippers for stripping crop from crop conveying disks. Even if Firdaus were considered to be from an analogous art, neither the flail mounted cutting blades nor the side chippers 22 serve as the required drivers, and there is no

teaching of providing any driver with a remover, as claimed. Thus, claim 1 is thought allowable. Claims 2, 3 and 6-10 depend either directly or indirectly from claim 1 and are likewise thought allowable.

Claim 2 is thought allowable for the additional reason that it requires the remover to be elongate and to be connected to said at least one of said drivers **only** in opposite end regions of said remover, and no such remover mounting is evident in the prior art.

Claim 3 is thought allowable for the additional reason that it requires the remover to have a plug-in connection with the conveying disk at a radially inner location of one of the recesses between adjacent removers, and no such plug-in connection is evident in the prior art.

Claims 4 and 5, indicated by the Examiner to contain allowable subject matter, are thought allowable since they depend either directly or indirectly from claim 1, which is thought allowable.

Claim 6 depends from claim 3 and is likewise thought allowable. Claim 6 is thought allowable for the additional reason that it requires the radially outer end of the remover to be bolted to the disk and no such mounting arrangement is evident in the prior art.

Claim 7 depends from claim 3 and is likewise thought allowable. Claim 3 is thought allowable for the additional reason that it requires the radially outer end of the remover to be welded to the disk and no such welded connection between a remover and the disk is evident in the prior art.

Claim 8 depends from claim 7 and is likewise thought allowable. Claim 8 is thought allowable for the additional reason that it requires the welded connection to extend over no more than half the length of the remover and no such connection is evident in the prior art.


Claim 9 is thought allowable for the additional reason that it requires the remover to make an angle with a radial line passing through the axis of rotation of the mowing and intake drum and to lead the radial line relative to a forward direction of rotation, and a remover oriented in this manner is not evident in the prior art.

Claim 10 depends from claim 9 and is likewise thought allowable. Claim 10 is thought allowable for the additional reason that it requires the angle set forth in claim 9 to be approximately 15°, and a remover oriented at this angle is not evident in the art of record.

In conclusion, it is believed that this application is in condition for allowance, and such allowance is respectfully requested.


Any fees or charges due as a result of filing of the present paper may be charged against Deposit Account 04-0525. Two duplicates of this page are enclosed.

Respectfully,

  
Attorney for Applicant(s)

Jimmie R. Oaks  
Reg. No. 24,987  
Patent Department  
Deere & Company  
One John Deere Place  
Moline, IL 61265  
Telephone No. (309) 765-4392

I hereby certify that this correspondence is being deposited  
with the United States Postal Service as first class mail in an  
envelope addressed to:  
Mail Stop Patent  
Commissioner for Patents  
P.O. Box 450  
Alexandria, VA 22304-0450  
on: 11 August 2004  
Date

 11 August 2004  
Signature Date